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October 13, 2004

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Staats et al.

Group Art Unit: 1647

Serial No.: 09/874,103

Examiner: Landsman, R. S.

Filed: June 5, 2001

Docket No.: 180/102/2

Confirmation No.: 6817

For: SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL  
ADJUVANTS IN VERTEBRATE SUBJECTS

\*\*\*\*\*

RESPONSE CCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated July 13, 2004, for which a shortened statutory period for reply expires on October 13, 2004. Favorable consideration is respectfully requested in view of the following Remarks.

OCT. 13. 2004 2:58PM

JENKINS & WILSON

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NO. 142 P. 1

OCT 13 2004

## JENKINS, WILSON & TAYLOR, P.A.

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**DATE:** October 13, 2004

**TO:** Art Group Unit 1600 (for Group 1647)

**FAX NO.:** (703) 872-9306

**FROM:** Arles A. Taylor, Jr. (ptw)

**RE:** Serial No. 09/874,103; Atty Docket No. 180/102/2

NUMBER OF PAGES TO FOLLOW: 22

If transmission is poor, or if you do not receive all pages, please  
call (919) 493-8000 as soon as possible.

**COMMENTS:**

Attachments: Transmittal Letter (1 pg);  
Amendment Transmittal (2 pgs);  
Response C (13 pgs);  
Supp IDS (2 pgs);  
PTO-1449 (1 pg) in duplicate);  
Copy of one (1) reference (2 pgs).

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JENKINS & WILSON

NO. 142 P. 2

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JENKINS  
WILSON  
& TAYLOR

patent attorneys

October 13, 2004

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Date of Signature 10/13/2004

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SOROJINI BISWAS

LICENSED ONLY IN CA  
LICENSED ONLY IN KY

Re: U.S. Patent Application Serial No. 09/874,103 for  
SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE  
MUCOSAL ADJUVANTS IN VERTEBRATE SUBJECTS  
Our Ref. No. 180/102/2

Sir:

Please find attached in connection with the subject U.S. patent application the following documents:

1. An Amendment Transmittal (2 pages);
2. Response C (13 pages);
3. Supplemental IDS (2 pages);
4. PTO-1449 (1 page) in duplicate;
5. Copy of one (1) reference (2 pages).

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

*Arlie A. Taylor*  
Arlie A. Taylor, Jr.  
Registration No. 39,395

AAT/ptw

Enclosures

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PAGE 2/23 \* RCVD AT 10/13/2004 3:00:25 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/8 \* DMS:8729306 \* CSID:9194190383 \* DURATION (mm:ss):06:46

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JENKINS & WILSON

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OCT 13 2004

Practitioner's Docket No. 180/102/2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Herman F. Staats, et al.

Application No.: 09/874,103

Filed: 06/05/2001

For: SUBSTANTIALLY NON-TOXIC BIOLOGICALLY ACTIVE MUCOSAL ADJUVANTS IN  
VERTEBRATE SUBJECTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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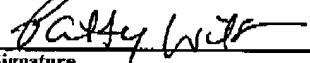
37 C.F.R. § 1.10\*

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TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.

  
Signature

Date: 10/13/2004

Patty Wilson  
(Type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal—page 1 of 2

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY							
TOTAL	26	-	21	=	5	x	\$ 9.00	=	\$ 45.00	ADDIT. FEE
INDEP.	1	-	3	=	0	x	\$ 44.00	=	\$ 0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM										
							\$ 0.00	=	\$ 0.00	
										TOTAL ADDIT. FEE
										\$ 45.00

Total additional fee for claims required \$45.00

#### FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$45.00 to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: 10/13/2004



Signature of Practitioner  
Arles A. Taylor, Jr.  
Reg. No.: 39,395  
Customer No.: 25297

Amendment Transmittal--page 2 of 2